

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Marine Polymer Technologies, Inc.

v.

Civil No. 06-cv-100-JD

HemCon, Inc.

Procedural Order

Two issues have come to the court's attention pertaining to the parties' recent filings. In the context of the proposed jury instructions, the parties have pointed out a typographical error in the conclusion of the court's claim construction order, which was issued on May 6, 2008. Therefore, pages 24 to 25 of the claim construction order are amended to correct the typographical error as follows:

The terms biocompatible poly- $\beta$ -1 $\rightarrow$ 4-N-acetylglucosamine and biocompatible poly- $\beta$ -1 $\rightarrow$ 4-glucosamine, as used in the claims of the '245 patent, are construed to mean:

polymers with their stated compositions (biocompatible poly- $\beta$ -1 $\rightarrow$ 4-N-acetylglucosamine and biocompatible poly- $\beta$ -1 $\rightarrow$ 4-glucosamine) and with low variability, high purity, and no detectable biological reactivity as determined by biocompatibility tests.

In addition, HemCon's proposed findings and conclusions do not distinguish between factual findings and rulings of law. HemCon shall file a revised proposed findings and rulings that properly distinguishes between its requests for findings of fact and its requests for legal conclusions. The requests for legal conclusions shall be supported by appropriate case citations. The revised proposed findings and conclusions shall be filed no later than **5:00 p.m. on Tuesday, April 20, 2010.**

SO ORDERED.

  
Joseph A. DiClerico, Jr.  
United States District Judge

April 19, 2010

cc: Julie M. Baher, Esquire  
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